

# EXHIBIT 45

3/9/22, 6:00 PM

Mail - Wade Biller - Outlook

**Re: Onyx - Class Action Law Suit - Official Board Vote**

Devin Wakefield &lt;devin.wakefield@gmail.com&gt;

Mon 3/7/2022 8:08 PM

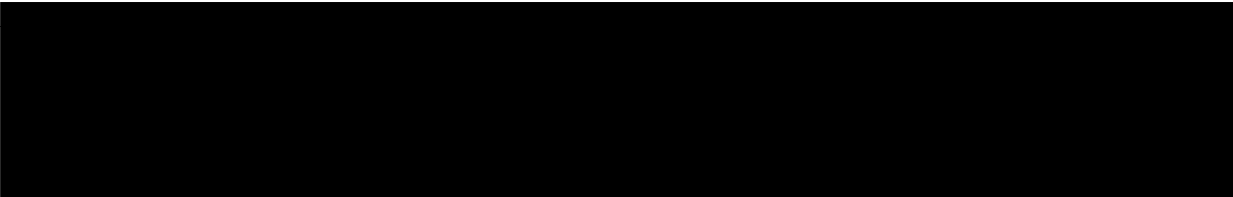
To: faizel khn &lt;argentocafe@hotmail.com&gt;

Cc: Wade Biller &lt;wade.biller@hotmail.com&gt;; onyx.board@gmail.com &lt;onyx.board@gmail.com&gt;; Florian Hall &lt;florian.hall@kappesmilller.com&gt;

Hi all,

I vote no. I think the lawsuit comes with some risks, and the potential rewards don't match. I don't think the HOA should enter as a litigant.

The risks I see:

1. I think the lawsuit may have a negative impact on property values. If someone is trying to sell, I would imagine an agent of a potential buyer would check if we've been in any lawsuits lately. This would come up and could potentially scare a buyer away.
2. I feel we have a responsibility to foster a positive relationship with the city. I strongly value a good relationship with the folks responsible for taking away our garbage among other things. Should any retaliation occur (hopefully not), it could aggravate our community.
3. 

I think the potential risks of joining this lawsuit could be serious.

The only potential upside I see:

1. The lawsuit aims to repay damages people faced during the time CHOP was going on. I think whatever money comes back from the lawsuit will be small after lawyer fees.

The potential upside to the lawsuit I don't expect to be significant.

Finally, it seems individuals are welcome to join in the lawsuit if they feel impacted and have damages they want to include. I think it would be better if individuals of our community join in if they wish. I think that would be a better way forward for the community. I noticed in the documents that Wade was already involved as an individual as well.

Thanks for sharing the documents so we could seriously investigate this matter. I appreciate it. If folks wish to discuss this further in person, I am open to it.

Kind regards,  
Devin Wakefield

On Mon, Mar 7, 2022 at 2:17 PM faizel khn <[argentocafe@hotmail.com](mailto:argentocafe@hotmail.com)> wrote:

I agree WE should move forward.

3/9/22, 6:00 PM

Mail - Wade Biller - Outlook

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**From:** Wade Biller <[wade.biller@hotmail.com](mailto:wade.biller@hotmail.com)>**Sent:** Monday, March 7, 2022 9:57 AM**To:** [onyx.board@gmail.com](mailto:onyx.board@gmail.com) <[onyx.board@gmail.com](mailto:onyx.board@gmail.com)>; Florian Hall <[florian.hall@kappesmiller.com](mailto:florian.hall@kappesmiller.com)>**Subject:** Onyx - Class Action Law Suit - Official Board Vote

Good Morning Board,

I hope you've had the opportunity to review the documents that have been made available regarding the Class Action Law Suit against the City of Seattle.

In order for the Onyx Association to remain a litigant representing our community, we need to ratify the board's vote and make it formally available.

I motion to ratify the board's approval to join the Class Action Law Suit and continue to hold the City accountable.

Please respond with your vote, so Florian can document the official vote.

Regards,

Wade Biller

Phone: 206-355-1526